

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 01, VA Connecticut Healthcare System, West Haven Campus: 950 Campbell Ave., West Haven, CT 06516-2770.
Justification for Other Than Full and Open Competition; Purchase Request No. 689-12-3-4829-0079
2. **Nature and/or Description of the Action Being Processed:** Action will be awarded as a new contract; Firm-Fixed Price, Base Year with Four (4), One (1) year Options. Service contract. Base Year: \$37,600.00
Base plus Four (4) One (1) year options total: \$188,000.00
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Monthly Preventive Maintenance services to maintain this highly specialized equipment to AMMY standards. Services to provide emergency service as required, responsibility of membranes, endotoxin filter, timer heads on all water softeners as service is required. Period of performance: 05/01/2012 through 04/30/2013.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - (X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
 - () (2) Unusual and Compelling Urgency per FAR 6.302-2;
 - () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
 - () (4) International Agreement per FAR 6.302-4
 - () (5) Authorized or Required by Statute FAR 6.302-5;
 - () (6) National Security per FAR 6.302-6;
 - () (7) Public Interest per FAR 6.302-7;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** The present system was designed and built specifically for our Dialysis Lab by Gambro, Inc. with Gambro manufactured parts. Mar-Cor Purifications purchased Gambro service contracts and was trained by Gambro, Inc. specifically to repair the highly specialized equipment currently located at the 14 Dialysis stations at the VA Connecticut Healthcare System, West Haven Campus. "Accordingly, Mar-Cor Purifications is the only firm capable of providing the supplies and services described in Section III above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Mar-Cor Purifications is the only responsible company with technicians trained on this Gambro highly specialized equipment; only one responsible source. A combined synopsis/solicitation notice was

issued on 04/24/2012 and stating our intent to award a sole source contract in accordance to FAR 6.302-1(a)(2), only one responsible source. As of today 04/26/2012 no responses have been received.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated cost will be considered fair and reasonable based on historical data and personal knowledge from previous contracts providing the same service at the same location. Prices are compared to contract no. VA241-P-0633. Original contract no. VA241-P-0633 did not cover the cost of rebedding the water softener tanks with carbon or rebedding the multimedia tanks which are quite large, 5 foot tall and 24 inch in diameter. 6 tanks all together. A Firm-Fixed price contract will be issued with Base year plus Four (4) one (1) Year Options. Mar-Cor Purifications is currently servicing the highly specialized equipment.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Mar Cor is the only responsible company with trained technicians to provide parts and services to this highly specialized equipment. No market research was conducted because Mar-Cor Purifications is the only possible contractor who bought the equipment from Gambro, Inc.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None.
10. **Listing of Sources that Expressed, in Writing, an Interest In the Acquisition:** None.
11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** No actions are planned to be taken because Mar-Cor Purifications is the only responsible contractor trained on Gambro's Reverse Osmosis equipment. A Base Year plus Four (4) One (1) Year Options is being sought because it will be more advantageous and cost effective to the Government in lieu of re-competing the requirement every year.
12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

John Meagher
Name
Title
Facility

Date

4/26/12.

13. **Approvals in accordance with FAR 6.304**

- a. **Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Mercedes
Blanton
Mercedes Blanton

Digitally signed by Mercedes Blanton
DN: cn=Mercedes Blanton, o=Department of Veterans Affairs, ou=Department of Veterans Affairs, email=Mercedes.Blanton@dva.mil, c=US

04/26/2012

Name
Title
Facility

Date

- b. **One Level above Contracting Officer:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Jacalyn
Trudeau

Digitally signed by Jacalyn Trudeau
DN: c=US, o=U.S. Government,
ou=Department of Veterans Affairs,
ou=Internal Staff,
0.9.2342.19200300.100.1.1=jacalyn.trudeau@v
a.gov, cn=Jacalyn Trudeau
Date: 2012.05.04 09:04:28 -04'00'

Name
Title
Facility

Date

- c. **Network Quality Assurance/Compliance Review:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Gary W. Dilk

Digitally signed by Gary W. Dilk
DN: c=US, o=U.S. Government, ou=Department of Veterans
Affairs, ou=Internal Staff,
0.9.2342.19200300.100.1.1=gary.dilk@va.gov, cn=Gary W. Dilk
Date: 2012.05.04 12:08:55 -04'00'

Name
Title
Facility

Date